

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

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In the Matter of)	
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CERTAIN INK JET PRINT)	Investigation No. 337-TA-446
CARTRIDGES AND)	
COMPONENTS THEREOF)	
)	

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO CERTAIN CLAIMS
OF THREE PATENTS IN ISSUE**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the initial determination ("ID") of the presiding administrative law judge ("ALJ") granting the motion of complainant Hewlett-Packard Company ("HP") to terminate the above-captioned investigation as to certain claims of three patents in issue in this investigation.

FOR FURTHER INFORMATION CONTACT: Peter L. Sultan, Office of the General Counsel, U.S. International Trade Commission, telephone (202) 205-3094. Copies of the ALJ's ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W. Washington, D.C. 20436, telephone (202) 205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

SUPPLEMENTARY INFORMATION: On January 19, 2001, the Commission instituted this investigation based on a complaint filed by HP, alleging a violation of section 337 of the Tariff Act of 1930 in the importation and sale of certain ink jet print cartridges and components thereof by reason of infringement of U.S. Letters Patent 4,827,294; 4,635,073; 4,680,859; 4,872,027; 4,992,802; and 5,409,134. 66 Fed. Reg. 7783 (January 25, 2001).

On October 24, 2001, complainant HP filed a motion to terminate the investigation as to its infringement allegations based on claim 5 of U.S. Letters Patent 4,635,073, claim 2 of U.S. Letters Patent 4,827,294 and claims 12-14 of U.S. Letters Patent 5,409,134. Respondent Microjet Co. Ltd. opposed this motion, arguing that the ALJ should instead find no infringement of these claims in his initial determination on violation. The Commission investigative attorney supported HP's motion.

On November 15, 2001, the ALJ issued an ID (Order No. 17) terminating the investigation as to the patent claims that are the subject of HP's motion. No party petitioned for review of the ID pursuant to 19 C.F.R. § 210.43(a), and the Commission found no basis for ordering a review on its own initiative pursuant to 19 C.F.R. § 210.44. The ID thus became the determination of the Commission pursuant to 19 C.F.R. § 210.42(h)(3).

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, and Commission rule 210.42, 19 C.F.R. § 210.42.

By order of the Commission.

Donna R. Koehnke
Secretary

Issued: December 4, 2001